

**IN THE
UNITED STATES DISTRICT COURT
FOR THE NORTHERN MARIANA ISLANDS**

Defendants

Although the Notice of Appeal indicated that the denial of qualified immunity was the only issue being appealed and Appellee is well aware of this, there being no other issue ripe for interlocutory appeal at this time in this case, F.R.A.P. 10(b)(3)(A)/Circuit Court 10-3.1(a) seem to require a separate notice to Appellee that Appellant will not order any transcript, and a statement of the issues to be presented to the Circuit Court.

1 In conformity therewith, Appellant hereby notifies Appellee that no transcript will be ordered
2 by Appellant, and that whether the District Court erred in denying qualified immunity to Timothy
3 Villagomez is the sole issue in this appeal.

4 Dated this 8th day of April, 2008.

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7 /s/ David Lochabay

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CERTIFICATE OF SERVICE

I hereby certify that the above and foregoing has been e-filed this 8th day of April, 2008, with
service requested to Douglas F. Cushnie, attorney for Appellee.

/s/ David Lochabay

David Lochabay